



PRELIMINARY HOUSING DEVELOPMENT APPLICATION *Pursuant to the Housing Crisis Act (Senate Bill 330):* **Information Handout and Preliminary Application**

WHAT IS SENATE BILL 330: The Housing Crisis Act of 2019?

California Senate Bill 330, “The Housing Crisis Act of 2019,” was signed into law by Governor Newsom on October 9, 2019 and went into effect on January 1, 2020. The bill establishes a statewide housing emergency for five years, until January 1, 2025.

SB-330 allows for an applicant to submit a Preliminary Application for any housing development project, defined as a project that includes two or more units and that is at least two-thirds residential by floor area. By submitting the Preliminary Application and complying with the timelines set forth in the bill, applicants can vest the zoning and objective design standards in effect at the time of application, and requires that the City use objective design standards and other objective regulations to determine whether to approve or deny a project. SB-330 also shortens required permit review timeframes and limits the number of public hearings for housing projects to five public hearings, including continuances and most appeal hearings. CEQA hearings, optional meetings and/or hearings related to zoning variances or code exemptions are not included in the public hearing limit. Eligible projects are required to comply with existing zoning and General Plan requirements as well as CEQA. The text requirements of SB-330 is available [here](#). In the Government Code, SB-330 adds section 65941.1 and amends Sections 65905.5, 65913.10, 66300, and 65589.5. The following is a summary description of the bill and eligibility criteria for projects seeking vesting rights pursuant to the SB-330 process.

WHAT DOES SB-330 MEAN FOR MY PROJECT?

SB 330 provides eligible housing development projects seeking discretionary approval enhanced streamlining and an optional vesting opportunity through a process initiated by the filing of a Preliminary Application. A housing development project shall be subject only to the ordinances, policies, and standards adopted and in effect when a Preliminary Application, including all of the information required below, is submitted, and upon payment of the processing fee.

The Preliminary Application is separate from the City of Petaluma General Application. Projects with an approved Preliminary Application are eligible for a shortened permit review timeline that limits the number of public hearings for a project and the number of days the City has to meet project approval milestones. More information on the SB-330 processing timeline can be found in the “Application and Processing Timeline for SB-330” section below.



IS MY PROJECT ELIGIBLE FOR SB-330 PROCESSING?

In order to be eligible for this program, the project must meet all of the following criteria:

1. **Number of Units:** Your project contains at least two or more net new residential units. For mixed-use development projects, at least two-thirds of the square footage must comprise residential uses (as defined in Government Code Section 65913.4) or your project is transitional housing or supportive housing.
2. **Demolition of Residential Units:** Your project does not demolish any existing housing units unless the replacement project includes at least as many residential units as the existing residential building. Additionally, if your housing project would demolish any protected units subject to any form of rent or price control, or are subject to a recorded covenant, ordinance, or law that restricts rents to levels affordable to persons and families of moderate, low, or very low incomes, these existing, demolished or removed protected units must be replaced. In this case, “protected units” are defined as:
 - a. Affordable units deed-restricted to households earning below 80 percent of area median income (AMI).
 - b. Occupied by low-income households earning below 80 percent of AMI.
 - c. Units vacated under the Ellis Act within 10 years prior to development application.
3. **Consistent with Objective Standards:** Your project meets all objective standards of the City's objective zoning and design review standards at the time of SB-330 application submittal. Such objective standards are those such as objective dimensional or stylistic requirements that require no personal or subjective (discretionary) judgment to enforce.

Legislative Approval: Your project does not require legislative approval such as a Zoning Ordinance Amendment, development agreement, or conditional use permit. APPLICATION AND PROCESSING TIMELINE FOR SB-330 REVIEW

Applicants are encouraged to schedule a preliminary project discussion with Planning Division staff to assess eligibility prior to submitting a Preliminary Application for the SB-330 review process. Projects that elect to apply for streamlined project review as stipulated in SB-330 must submit the SB-330 Preliminary Application included in this document, as well as a General Application within 180 days of submittal of the SB-330 Preliminary Application. The applications shall be accompanied by any maps and supporting documents, including a site plan, floor plans, elevations, exterior material details and colors, and any other drawings that are required by each application. Documents can be submitted at the Planning Division under the same procedure as other Planning review submittals. When speaking with a planner please indicate that this is an SB-330 submittal.

SB-330 Timelines

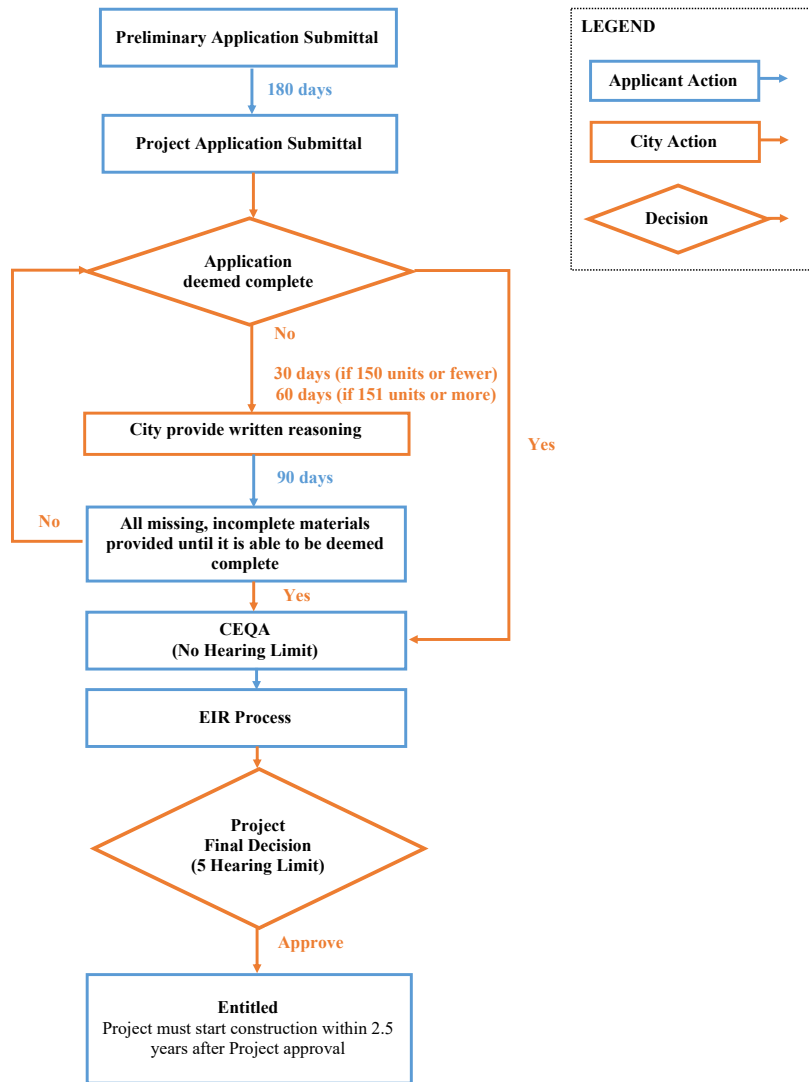
SB-330 includes timelines for project review. The project must be deemed complete (have submitted a Preliminary Application) by January 1, 2025 for eligibility for this bill's rules. If the city considers a proposed



project to be inconsistent, or not in compliance, it shall provide the applicant in writing with a detailed explanation of the reason

- **Within 30 Days** (if 150 units or fewer)
- **Within 60 Days** (if 151 units or more)

If a project is determined to be incomplete, the applicant then has 90 days to re-apply. If the project is again determined to be incomplete, the project applicant may appeal: The city has 60 days to respond to appeal.



If a project application is determined to be complete, the timeline for which the city must approve or disapprove of the project is determined relative to the CEQA process as described below:



- **Within 180 days** from the date of certification by the lead agency of the Environmental Impact Report, generally.
- **Within 90 days** from the date of certification of the EIR if the project is for residential, mixed-use (with at least two-thirds of square footage designated for residential use), or transitional/supportive housing.
- **Within 60 days** from the date of certification of the EIR, if one is prepared, if:
 - 49%+ units are affordable to very low or low-income households.
 - Prior to the application being deemed complete, the City agency received written notice that an application has been made or will be made for public funding that relies on local government approval.
 - There is confirmation that the application has been made to the public agency or federal agency prior to certification of the EIR.
- **Within 60 days** from the date of adoption of a negative declaration.
- **Within 60 days** from the determination that the project is exempt from CEQA.

Project Hearings

Any project review is limited to 5 required hearings, inclusive of hearing extensions. Any project that has been approved using the SB-330 review process may then apply for building permits.

The Project Application review may include an optional review by the Development Review Committee (DRC), which is made up of representatives from various City departments, who will review the applicant's project and identify any issues that may arise during the approvals process (but is not the decision-making body for project approval). The applicant will be invited to an internal DRC meeting approximately 2 weeks after project submission, to ask or answer any questions. The DRC meeting is not a public hearing. The applicant is responsible for all costs associated with processing the application.

If at any point in the process the project differs substantially from the original submission (more than 20 percent in unit count or square footage), the Planning Division will re-certify the project for eligibility and re-review the project's design, restarting the SB-330 timeline by requiring a new Preliminary Application to be submitted.

Building Permitting

The Building Permitting process will follow the standard process for project review and approval. Prior to issuing a building permit the City of Petaluma may require changes to the development that are necessary to:

- Comply with Petaluma's objective uniform construction codes (including, without limitation building, plumbing, electrical, fire, and grading codes).
- Comply with Federal or state laws.
- Mitigate a specific, adverse impact upon the public health or safety when there is no feasible method to satisfactorily mitigate or avoid the specific adverse impact without modifying the development.



SB-330 ELIGIBILITY CHECKLIST

Applicants intending to invoke SB-330 streamlining process must fill out this checklist completely and provide supporting documentation for each question to demonstrate eligibility.

1. **Number of Units:** Does the development contain at least two or more net new residential units? If the project is a mixed-use development, do at least two-thirds of the square footage comprise residential uses (as defined in Government Code Section 65913.4)? Or is the project transitional housing or supportive housing Yes No
2. **Demolition of Residential Units:** Does the project demolish any existing housing units without the replacement project includes at least as many residential units as the existing residential building? Yes No
3. **Consistent with Objective Standards:** Does the project meet all objective standards of the City's objective zoning and design review standards at the time of SB-330 application submittal? Such objective standards are those such as objective dimensional or stylistic requirements that require no personal or subjective (discretionary) judgment to enforce. Yes No
4. **Subdivisions:** Unless the development either (a) receives a low-income housing tax credit and is subject to the requirement that prevailing wages be paid, or (b) is subject to the requirements to pay prevailing wages and to use a skilled and trained workforce, does the development involve a subdivision of a parcel that is subject to the California Subdivision Map Act? Yes No
5. **Legislative Approval:** Does the project require legislative approval such as a Zoning Ordinance Amendment, development agreement, or conditional use permit? Yes No

Applicants must check the box below if the completed checklist demonstrates eligibility for SB-330 streamlining:

- As demonstrated by the completed SB-330 eligibility checklist above, the project is eligible for application streamlining and ministerial approval and I hereby request that the City of Petaluma utilize the SB-330 application processing procedures for this application.

6/26/2023

Applicant's signature

Date



SB-330 PRELIMINARY APPLICATION

An applicant is required to submit a Preliminary Application for a housing development project subject to a streamlined process per SB-330. The Preliminary Application must be completed by the applicant and reviewed and signed by Department of City Planning staff prior to being deemed complete.

The purpose of this Preliminary Application is to collect important information about your proposed project in order to determine the zoning, design, subdivision, and fee requirements that will apply to the housing development project throughout the review process. *Please provide all information requested. Missing, incomplete or inconsistent information will delay the vesting date. Please check with a planner if you are unsure about any aspect of the process.*

A completed application will vest the zoning, design, subdivision and fee requirements in effect as of the date of preliminary application submittal, provided that all the below provisions are satisfied:

- The submitted form contains accurate information.
- A completed [General Application Form](#) is submitted to the Planning Division within 180 days of submission of this Preliminary Application.
- The project may not change by more than 20 percent in terms of total number of units or total square footage as stated in this Preliminary Application (exclusive of any increase resulting from the receipt of a density bonus, incentive, concession, waiver, or similar provision).
- Construction must begin on the project within 30 months of site permits being issued.

Please refer to the [Petaluma Planning Fee Schedule](#) for information on fees required for submittal.

PROJECT SITE INFORMATION

Project Address/Location: 2 Rovina Lane, Petaluma, CA Unit/Space Number: _____

Legal Description (Lot, Block, Tract): see legal description attached

Assessor's Parcel Number(s): 019-210-009 Lot Area: _____

Site Acreage: 1 acre

Zoning: R4

General Plan: Medium Density Residential

Specific Plan Overlay(s): NA

APPLICANT INFORMATION

Applicant Name: Caleb Roope

Company/Organization Name: Pacific West Communities, Inc.

Address: 430 E. State St. Unit/Space Number: Suite 100

City: Eagle State: ID Zip Code: 83616

Telephone: 208-461-0022 Email: calebr@tpchousing.com



PROPERTY OWNER OF RECORD Same as applicant Different from applicant

Property Owner Name (if different from applicant): David F Devoto

Address: 233 Belhaven Ct. Unit/Space Number: _____

City: Santa Rosa State: CA Zip Code: 95409

Telephone: 707-537-7373 Email: ddevoto@sonic.net

NOTE: The individual(s) listed above will receive correspondence from the City regarding this application.

PROPOSED PROJECT

Project Narrative: Please provide a narrative project description that summarizes the project and its characteristics, scope, and purpose.

The proposed project will be 34 family units affordable to households earning 30-60% of AMI split between two 3-story buildings. Tenants will enter the property by turning north from Jacquelyn onto Rovina Lane and right into the complex. A drive aisle runs between the two residential buildings with tandem tuck-under parking under each to the back of the property where there is additional parking, trash enclosures, outdoor amenities and a trash/fire truck hammerhead. There will be 12 one-bedroom units, 12 two-bedroom units and 10 three-bedroom units. The outdoor amenities include a play area and dog run. The project proposes 65 parking spaces and will be accessed by a right-in-left-out driveway via the public portion of Rovina Lane and a piece of the easement on the private portion of Rovina Lane.

Please include a site plan showing the location on the property, elevations showing design, color, and material, and the massing, height, and approximate square footage, of each building that is to be occupied.

Proposed Uses

Existing Uses on the Property: Radio tower and outbuilding

Major Physical Alterations to the Property: Radio tower and outbuilding being demolished by Seller

Residential Dwelling Unit Count:

Total Number of Units Proposed: 34

Total Number of Affordable Unit Proposed and AMI Levels: 33 (30-60% AMI) + 1 manager's unit



Total Number of Bonus Units Proposed: 16

Market Rate Count: 1 manager's unit

Below Market Rate Units and Affordability Levels Count: 33 (30-60% AMI)

Floor Area:

Proposed Residential Square Footage: 33,916 SF

Proposed Non-Residential Square Footage: 0 SF

Parking:

Proposed Number of Parking Spaces: 65

Affordable Housing Incentives, Waivers, and Parking Reductions

Will the project proponent seek Density Bonus incentives, waivers, concessions, or parking reductions pursuant to California Government Code Section 65915? Yes No

If "YES" please list requested incentives, waivers, concessions and/or parking reductions:

See attached request for incentives

Additional Information

Will the project require any approvals under the Subdivision Map Act, such as a parcel map, a tentative map, or a condominium map? Yes No

Does the project include any point sources of air or water pollution? Yes No

If "YES" please list map changes and/or point sources of water pollution:

Are any species of local concern known to occur on the property? Yes No

If "YES" please list them:

See attached Preliminary Biological Assessment



EXISTING SITE CONDITIONS

Housing:

Provide the number of existing residential units on the project site that will be demolished and whether each existing unit is occupied or unoccupied:

	Residential Units	Occupied Residential Units	Unoccupied Residential Units
Existing	0	0	0
To be Demolished	0	0	0

Additional Site Conditions

Is any portion of the property located within any of the following?

- 1) A very high fire hazard severity zone, as determined by the Department of Forestry and Fire Protection pursuant to Government Code Sec. 51178: Yes No
- 2) Wetlands, as defined in the United States Fish and Wildlife Service Manual, Part 660 FW 2 (June 21, 1993): Yes No
- 3) A hazardous waste site that is listed pursuant to Government Code Sec. 65962.5 or a hazardous waste site designated by the Department of Toxic Substances Control pursuant to Section 25356 of the Health and Safety Code: Yes No
- 4) A special flood hazard area subject to inundation by the 1 percent annual chance flood (100-year flood) as determined by the Federal Emergency Management Agency in any official maps published by the Federal Emergency Management Agency: Yes No
- 5) A delineated earthquake fault zone as determined by the State Geologist in any official maps published by the State Geologist, unless the development complies with applicable seismic protection building code standards adopted by the California Building Standards Commission under the California Building Standards Law (Part 2.5 (commencing with Section 18901) of Division 13 of the Health and Safety Code), and by any local building department under Chapter 12.2 (commencing with Section 8875) of Division 1 of Title 2: Yes No
- 6) A stream or other resource that may be subject to a streambed alteration agreement pursuant to Chapter 6 (commencing with Section 1600) of Division 2 of the Fish and Game Code: Yes No

If "YES" provide an aerial site photograph showing existing site conditions of environmental site features that would be subject to regulations by a public agency, including creeks and wetlands.



Is any portion of the property subject to any recorded public easement, such as easements for storm drains, water lines, and other public rights of way? Yes No

If "YES" provide the location and brief description of all such public easements on the site map.

Historic or cultural resources include those listed by federal, State, and local agencies. Applicants should also consult the Northwest Information Center for more information on cultural resources. Are any historic or cultural resources known to exist on the property? Yes No

If "YES", please list the cultural resources.

If the project is proposed to be located within the Coastal Zone, does any portion of the property contain any of the following:

- Wetlands, as defined in subdivision (b) of Section 13577 of Title 14 of the California Code of Regulations
- Environmentally sensitive habitat areas, as defined in Section 30240 of the Public Resources Code
- A tsunami run-up zone
- Use of the site for public access to or along the coast

If "YES", please describe.



PROPERTY OWNER

PROPERTY OWNER AFFIDAVIT. Before the application can be accepted, the owner of each property involved must provide a signature to verify the Preliminary Application is being filed with their knowledge.

- I/We certify that I am/we are presently the legal owner(s) of the above-referenced property.
- I/We acknowledge the filing of this Preliminary Application and certify that all the information is true and accurate, and that I am/we are familiar with the Petaluma Municipal Code.
- I/We guarantee, as an authorized agent, applicant, property owner, or project sponsor, that I/we individually and jointly assume full responsibility for all costs incurred by the City in processing this Preliminary Application.
- I/We understand and agree that any unpaid balances may be referred to a collections agency, and failure to pay all charges will result in a hold on any processing of current and/or future permits at the property.

Note: a person acting as agent of property owner or owners shall attach a notarized letter of authorization from the legal owner.

DocuSigned by:
 Signature Date David Devoto Date: 7/7/2023
731AAC13E78F436...

Print Name David F Devoto

APPLICANT

APPLICANT DECLARATION. A separate signature from the applicant, whether they are the property owner or not, attesting to the following, is required before the Preliminary Application can be accepted.

- I hereby certify that the information provided in this Preliminary Application, including plans and other attachments, is accurate and correct to the best of my knowledge. Furthermore, should the stated information be found false or insufficient to fulfill the requirements of the form, I agree to revise the information as appropriate.
- I understand and agree that any report, study, map or other information submitted to the City in furtherance of this Preliminary Application will be treated by the City as public records which may be reviewed by any person and if requested, that a copy may be provided by the City to any person.
- I understand that there is no guarantee, expressed or implied, that any permit or application will be granted. I understand that each matter must be carefully evaluated and that the resulting recommendation or decision may be contrary to a position taken or implied in any preliminary discussions.
- I understand that if this Preliminary Application cannot be deemed complete, there is no refund of fees paid.
- I understand and agree to defend, indemnify, and hold harmless, the City, its officers, agents, employees, and volunteers (collectively "City"), from any and all legal actions, claims, or proceedings (including administrative or alternative dispute resolution (collectively "actions"), arising out of any City process or approval prompted by this Action, either in whole or in part. Such actions include but are not limited to: actions to attack, set aside, void, or otherwise modify, an entitlement approval, environmental review, or subsequent permit decision; actions for personal or property damage; actions



based on an allegation of an unlawful pattern and practice; inverse condemnation actions; and civil rights or an action based on the protected status of the petitioner or claimant under state or federal law (e.g. ADA or Unruh Act). I understand and agree to reimburse the City for any and all costs incurred in defense of such actions. This includes, but it not limited to, the payment of all court costs and attorneys' fees, all judgments or awards, damages, and settlement costs. The indemnity language in this paragraph is intended to be interpreted to the broadest extent permitted by law and shall be in addition to any other indemnification language agreed to by the applicant.

- By my signature below, I declare under penalty of perjury, under the laws of the State of California, that all statements contained in this Preliminary Application and any accompanying documents are true and correct, with full knowledge that all statements made in this Preliminary Application are subject to investigation and that any false or dishonest answer to any question may be grounds for denial or subsequent revocation of license or permit.

Signature (Digital Signatures are Accepted): 

Date: 6/26/2023

Print Name: Caleb Roope

LEGAL DESCRIPTION

Real property in the City of Petaluma, County of Sonoma, State of California, described as follows:

PARCEL ONE:

BEING A PORTION OF THE NORTHEAST 1/4 OF THE NORTHWEST 1/4 OF SECTION 3, TOWNSHIP 4 NORTH, RANGE 7 WEST, M.D.M., BOUNDED AND PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE INTERSECTION OF THE SOUTHERLY LINE OF THE STATE HIGHWAY AND THE WESTERLY LINE OF THE 25 ACRE TRACT DESCRIBED IN THE DEED FROM MAREN SORENSEN TO ROYCE F. ANDERSON, ET UX, DATED MAY 17, 1946 AND RECORDED JUNE 3, 1946, UNDER BOOK 688, PAGE 264 AND RECORDER'S SERIAL NO. C-19143, SONOMA COUNTY RECORDS; THENCE SOUTH 89° 42' EAST ALONG THE SOUTHERLY LINE OF THE STATE HIGHWAY, A DISTANCE OF 173 FEET; THENCE LEAVING SAID STATE HIGHWAY AND ALONG THE EASTERLY LINE OF A 20 FOOT ROAD, SOUTH 0° 30' WEST, 433.79 FEET TO THE ACTUAL POINT OF BEGINNING OF THE TRACT TO BE HEREIN DESCRIBED; THENCE FROM SAID POINT OF BEGINNING SOUTH 89° 42' EAST, 222 FEET, MORE OR LESS, TO THE WESTERLY LINE OF THE TRACT DESCRIBED IN THE DEED FROM ABBIE FITZGERALD TO ELLEN CAMPBELL, DATED APRIL 30, 1941 AND RECORDED JUNE 11, 1941, IN BOOK 581 OF OFFICIAL RECORDS, PAGE 196, SONOMA COUNTY RECORDS, THENCE ALONG SAID LINE SOUTH 0° 30' WEST, 196.21 FEET; THENCE NORTH 89° 42' WEST, 222 FEET, MORE OR LESS, TO A POINT WHICH BEARS SOUTH 0° 30' WEST FROM THE POINT OF BEGINNING; THENCE NORTH 0° 30' EAST, 196.21 FEET TO THE POINT OF BEGINNING.

PARCEL TWO:

A RIGHT OF WAY FOR ROAD AND UTILITY PURPOSES OVER AND ALONG A STRIP OF LAND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE WESTERLY LINE OF THE LANDS ABOVE DESCRIBED WHICH BEARS NORTH 0° 30' EAST, 24.73 FEET FROM THE SOUTHWEST CORNER THEREOF; THENCE NORTH 0° 30' EAST, 605.27 FEET TO THE SOUTHERLY LINE OF THE STATE HIGHWAY; THENCE ALONG SAID LINE NORTH 89° 42' WEST, 20 FEET; THENCE SOUTH 0° 30' WEST, 605.27 FEET; THENCE SOUTH 89° 42' EAST, 20 FEET TO THE POINT OF BEGINNING.

APN: 019-210-009-000

July 7, 2023

City of Petaluma Planning Division
Attn: Michael Janusek
11 English Street
Petaluma, CA 94952

**Re: Request for Density Bonus, Concessions, and Waivers: Rovina Affordable Housing
2 Rovina Lane
APN: 019-210-009**

To Whom It May Concern:

Pacific West Communities, Inc. as the project Applicant is requesting a Density Bonus and development concessions and waivers for the Rovina Lane Apartments project pursuant to State Density Bonus Law. Submittal of this memo is concurrent with the completed City of Petaluma's Preliminary Housing Development Application, pursuant to SB-330. The project provides 34 rental units of which 100% are affordable to lower-income households, as defined in Health and Safety Code §50079.5¹.

Pursuant to State Density Bonus Law, a project that is 100% affordable to very low- and low-income households is eligible for a 100% increase in the maximum allowable density. The zoning of R4 Multifamily and General Plan designation of Medium Density Residential allows for 8-18 dwelling units per acre. With a 100% increase above the maximum, this project is eligible to propose 36 dwelling units. Additionally, pursuant to §65915(d)(2)(D)ⁱⁱ and §65915(e)ⁱⁱⁱ we the Applicant are requesting *concessions* that result in actual, identifiable cost savings and *waivers* from standards that would physically prevent the project from being built at the proposed density.

Concessions

Pursuant to State Density Bonus Law, an eligible housing development shall be entitled to four concessions for projects meeting the criteria in §65915(b)(1)(G)^{iv}. We request the two concessions below which result in actual, identifiable cost savings. The remaining two concessions are not needed at this time and are reserved for future use in the event they become necessary.

- 1) All-Electric Construction [Municipal Code §17.09.030]: This ordinance requires all new construction to be 100% electric. The equipment required to make a multifamily building all-electric operable and maintainable, and the corresponding construction costs, are not financially feasible for affordable housing projects.
- 2) Residential Visitability and Universal Design [Municipal Code §17.14.050(C)]: Meeting the Universal Design standards for 30% of the proposed units would necessitate a reduction in density of the project resulting in significantly fewer affordable units. The loss of units would

result in lower operational income and higher per unit costs making the project significantly more difficult to achieve financing for. The project is, however, able to apply the Universal Design standards specified in Chapter 17.14 for fewer than 30% of the proposed units.

Waivers

Per State Density Bonus Law [Cal Govt Code §65915(e)(1)]: *In no case may a city, county, or city and county apply and development standard that will have the effect of physically precluding the construction of a development meeting the criteria of subdivision (b) at the densities or with the concessions or incentives permitted by this section. We request the following waivers as these development standards would physically preclude the site from development at the density permitted under the Zoning Code and State Density Bonus Law.*

- 1) Usable Open Space [Municipal Code §4.040, Table 4.9]: This standard requires 300 SF of open space per unit or 10,200 SF for the 34 units. The project proposes 3,200 SF of group open space. Providing the additional 7,000 SF of open space would result in losing units which physically precludes the project from meeting the permitted density under §65915(f)(3)(D)(ii).
- 2) Maximum Height [Municipal Code §4.040, Table 4.9]: Building height is limited to 35'. To comply with the standard height would physically preclude the project from meeting the permitted density under §65915(f)(3)(D)(ii).
- 3) Setbacks [Municipal Code §4.040, Table 4.9]: The project will require waivers of setback standards to meet the permitted density under §65915(f)(3)(D)(ii). Specific setback types and reductions will be provided with the formal application.

We look forward to working with the City of Petaluma to bring more affordable housing to the community. Please feel free to reach out to us with any questions or comments resulting from this preliminary application. You can reach me at laurenrhalexander@gmail.com or (650) 465-8782.

Thank you,



Lauren Alexander
Pacific West Communities, Inc

ⁱ § 50079.5 “Lower income households” means persons and families whose income does not exceed the qualifying limits for lower income families as established and amended from time to time pursuant to Section 8 of the United States Housing Act of 1937. The limits shall be published by the department in the California Code of Regulations as soon as possible after adoption by the Secretary of Housing and Urban Development. In the event the federal standards are discontinued, the department shall, by regulation, establish income limits for lower income households for all geographic areas of the state at 80 percent of area median income, adjusted for family size and revised annually.

“Lower income households” includes very low income households, as defined in Section 50105, and extremely low income households, as defined in Section 50106. The addition of this subdivision does not constitute a change in, but is declaratory of, existing law.

As used in this section, “area median income” means the median family income of a geographic area of the state.

ⁱⁱ §65915(d)(2)(D) Four incentives or concessions for projects meeting the criteria of subparagraph (G) of paragraph (1) of subdivision (b).

ⁱⁱⁱ §65915(e) (1) In no case may a city, county, or city and county apply any development standard that will have the effect of physically precluding the construction of a development meeting the criteria of subdivision (b) at the densities or with the concessions or incentives permitted by this section. Subject to paragraph (3), an applicant may submit to a city, county, or city and county a proposal for the waiver or reduction of development standards that will have the effect of physically precluding the construction of a development meeting the criteria of subdivision (b) at the densities or with the concessions or incentives permitted under this section, and may request a meeting with the city, county, or city and county.

^{iv} §65915(b)(1)(G) One hundred percent of all units in the development, including total units and density bonus units, but exclusive of a manager’s unit or units, are for lower income households, as defined by Section 50079.5 of the Health and Safety Code, except that up to 20 percent of the units in the development, including total units and density bonus units, may be for moderate- income households, as defined in Section 50053 of the Health and Safety Code.

^v §65915(f)(3)(D) For housing developments meeting the criteria of subparagraph (G) of paragraph (1) of subdivision (b), the following shall apply:

(i) Except as otherwise provided in clause (ii), the density bonus shall be 80 percent of the number of units for lower income households.

(ii) If the housing development is located within one-half mile of a major transit stop, the city, county, or city and county shall not impose any maximum controls on density.

Memo

To: Ms. Lauren Alexander / Pacific West Communities, Inc.

From: Ms. Sarah VonderOhe / Madrone Ecological Consulting, LLC

Date: 26 June 2023

Subject: Biological Resources Due Diligence and Wetland Assessment for the 2 Rovina Drive Property in the City of Petaluma, Sonoma County, California

This memo serves to memorialize information gathered during the due diligence process for the 2 Rovina Drive property (Study Area) in the City of Petaluma (City) regarding biological resources, including aquatic resources, that may be present within the Study Area. No existing biological resources documents for the Study Area were reviewed as part of this effort and it is assumed that no project specific California Environmental Quality Act (CEQA) information exists for the Study Area. A site visit was conducted by Madrone Ecological Consulting (Madrone) senior biologist/regulatory specialist Dustin Brown on 10 April 2023. During the site visit Mr. Brown surveyed the Study Area for the presence of aquatic resources, protected trees, and potential habitat for special-status species and nesting migratory birds.

Background and Existing Conditions

The approximately one-acre Study Area is located east of Rovina Lane approximately 450 feet south of Petaluma Boulevard South in the southern portion of the City of Petaluma. The Project ranges from approximately 45 to 70 feet above mean sea level within Section 3, Township 4 North, Range 7 West of the Petaluma River 7.5-minute quadrangle (USGS 2021) (**Figure 1**).

As part of this analysis the following documents and databases were reviewed:

- Biological Resources Section of the Draft Environmental Impact Report (DEIR) for the Petaluma General Plan 2025 (State Clearinghouse No. 2004082065). Published in September of 2006;
- City of Petaluma Zoning Code Chapter 17 Tree Preservation;
- The National Wetland Inventory database; and
- The California Natural Diversity Database (CNDDDB).

The Study Area gently slopes (averaging 6 to 7 degrees) from southeast to northwest and is surrounded by low-density residential housing to the east, south, and west and a vacant one-acre parcel to the north. The Study Area contains an AM radio antenna and guide wires and an old, dilapidated building/shed (which will soon be demolished) and gravel parking area that was presumably used by the station KTOB for broadcast purposes. Vegetation within the Study Area consists mostly of non-native ruderal grass and forb species and is dominated by ryegrass (*Festuca perennis*), stinkwort (*Dittrichia graveolens*), and soft chess (*Bromus diandrus*). Other species include cutleaf geranium (*Geranium dissectum*), bur clover (*Medicago polymorpha*), Italian thistle (*Carduus pycnocephalus*), wild oat (*Avena fatua*), and cleavers (*Galium aparine*). There are some patches of Armenian blackberry (*Rubus armeniacus*) that have been mowed located in the southwest and

northeast corners of the Study Area. There are 18 trees within the Study Area ranging from 2 to 46 inches in diameter at breast height (DBH) including two Fremont cottonwood (*Populus fremontii*), nine Valley oak (*Quercus lobata*), three Coast live oak (*Quercus agrifolia*), three interior live oak (*Quercus wislizeni*), and one pine tree (*Pinus* sp.). See **Attachment A** for photographs of the Study Area. Most of these trees are located along the perimeter of the Study Area along fences and some are planted ornamental street trees located along Jacquelyn Lane.

Aquatic Resources and Special-Status Species Habitat

There are no aquatic resources within the Study Area according to the National Wetland Inventory (USFWS 2023). Additionally, Mr. Brown did not observe any potential aquatic resources within the Study Area during the site visit. The Study Area is situated on a gradient and there are no drainages or wetlands present.

A search of the California Natural Diversity Database (CDFW 2023) revealed that several species have been documented within the vicinity of the Study Area including:

- Western pond turtle (*Actinemys marmorata*) (California Species of Special Concern);
- Sonoma County DPS of California tiger salamander (*Ambystoma californiense*, Pop. 3)(Federally Endangered, State Threatened);
- San Pablo song sparrow (*Melospiza melodia samuelis*) (California Species of Special Concern); and
- Pitkin March lily (*Lilium pardalinum* ssp. *pitkinense*).

The Study Area is either outside of the range for these species or there is no suitable habitat for these species present onsite.

There is habitat for tree-nesting and ground-nesting migratory birds within the Study Area as evidenced by an active red-shouldered hawk (*Buteo lineatus*) nest observed in a large eucalyptus tree approximately 400-feet southwest of the Study Area.

Protected Trees

According to Chapter 17 of the City Code there are approximately 12 Protected Trees within the Study Area totaling approximately 135 DBH. Six of these trees are street trees located along the southern boundary.

It is recommended that the project proponent retain a certified arborist to prepare an arborist report and/or Tree Preservation and Protection Plan. This plan shall accompany all development applications that potentially affect the onsite protected trees. Removal of any Protected Trees may require mitigation or replacement.

Replacement tree ratios shall be applied as follows and shall be a minimum of 24-inch box size:

- A. 24-inch box replacement tree = 2-inch replacement trunk diameter
- B. 36-inch box replacement tree = 3-inch trunk replacement diameter
- C. 48-inch box replacement tree = 4-inch trunk replacement diameter

In the event that the Study Area is insufficient in size to plant all of the replacement trees, the City may accept payment of in-lieu fees by the applicant. In-lieu fees will be utilized by the City to purchase and install trees in future public open space, park space, or other areas designated for tree planting. Replacement tree costs for the purposes of satisfying in-lieu fees shall be based on the typical northern

California wholesale tree cost plus average installation cost. In-lieu fees for replacement trees shall be based on a minimum 24-inch box size.

Additional Biological Surveys

Grading of the site and tree removal may result in mortality of nesting migratory birds. It is recommended that a nesting bird survey be conducted by a qualified biologist prior to grading or tree removal. If active bird nests are identified during the survey the nest shall be left undisturbed until it is no longer active, and the young have fledged.

My office would be happy to assist with inquiries regarding information in this memo if you so desire. Please contact me at (916) 822-3230 or at svonderohe@madroneeco.com.

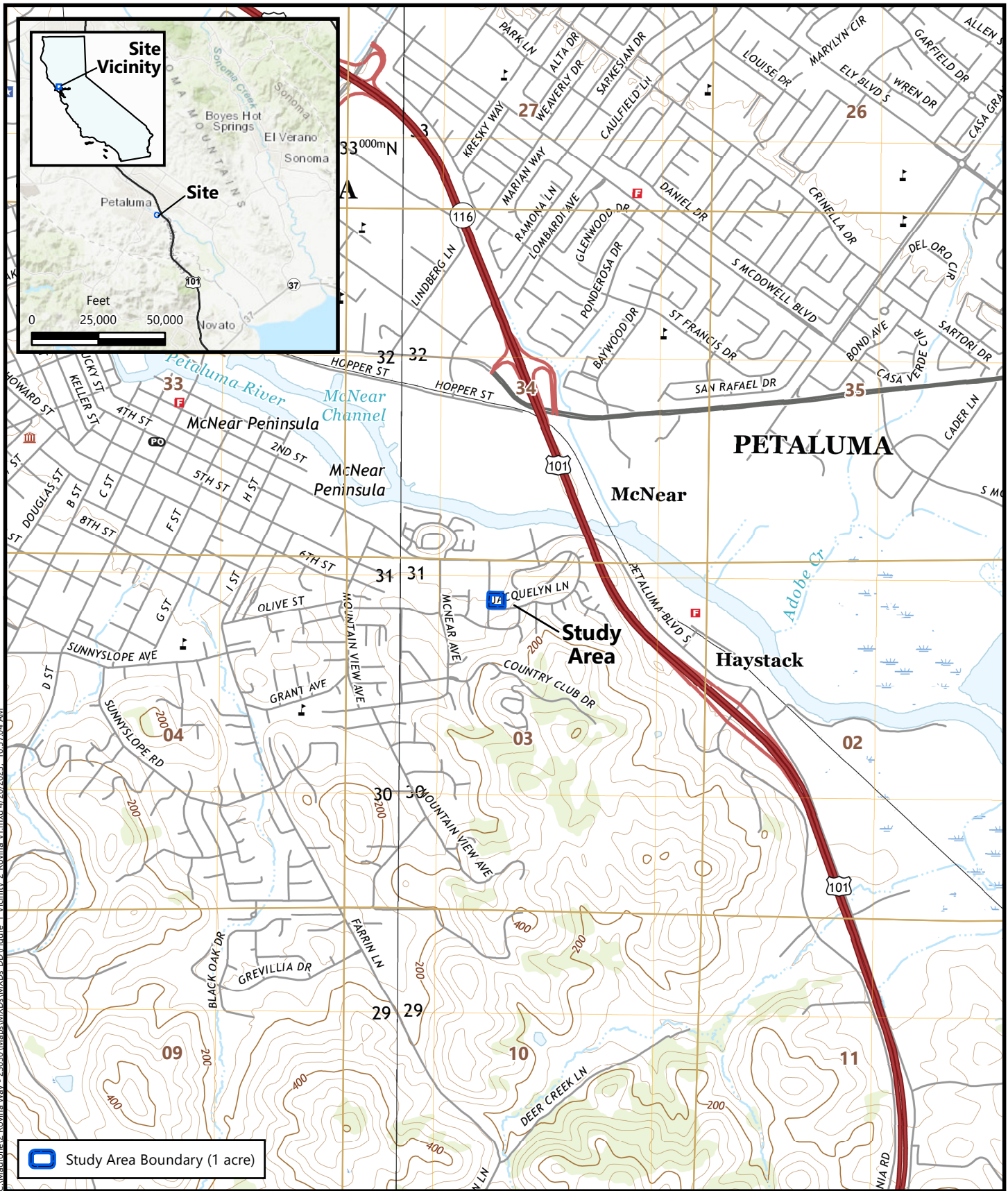
Sincerely,

Sarah VonderOhe

Sarah VonderOhe
Principal

Figures

Figure 1. Site and Vicinity Map



C:\Madrone\2_Rovina\Wav - 23030\Maps\WXPds\MXD\DD\Figure 1_Vicinity_2_Rovina_v1.mxd 4/20/2023, 10:57:04 AM

 Study Area Boundary (1 acre)

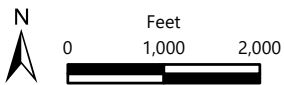


Figure 1
Site and Vicinity

Source: United States Geologic Survey, 2021.
 "Petaluma River, California" 7.5-Minute Topographic Quadrangle
 Section 3, Township 4 North, Range 7 West, MDB&M
 Longitude -122.619975, Latitude 38.225381

2 Rovina Lane
 Petaluma, Sonoma County, California



Attachments

Attachment A: Representative Site Photographs

Attachment A

Representative Site Photographs



Facing southeast from the northwest corner of the Study Area.



Facing southwest at the onsite building and large Coast live oak and pine trees.

Date & Time: Mon, Apr 10, 2023 at 12:05:18 PDT
Position: +038.225260° / -122.620044° (±32.8ft)
Altitude: 36ft (±62.3ft)
Datum: WGS-84
Azimuth/Bearing: 224° S44W 3982mils True (±12°)
Elevation Angle: +00.8°
Horizon Angle: -01.4°
Zoom: 0.5X

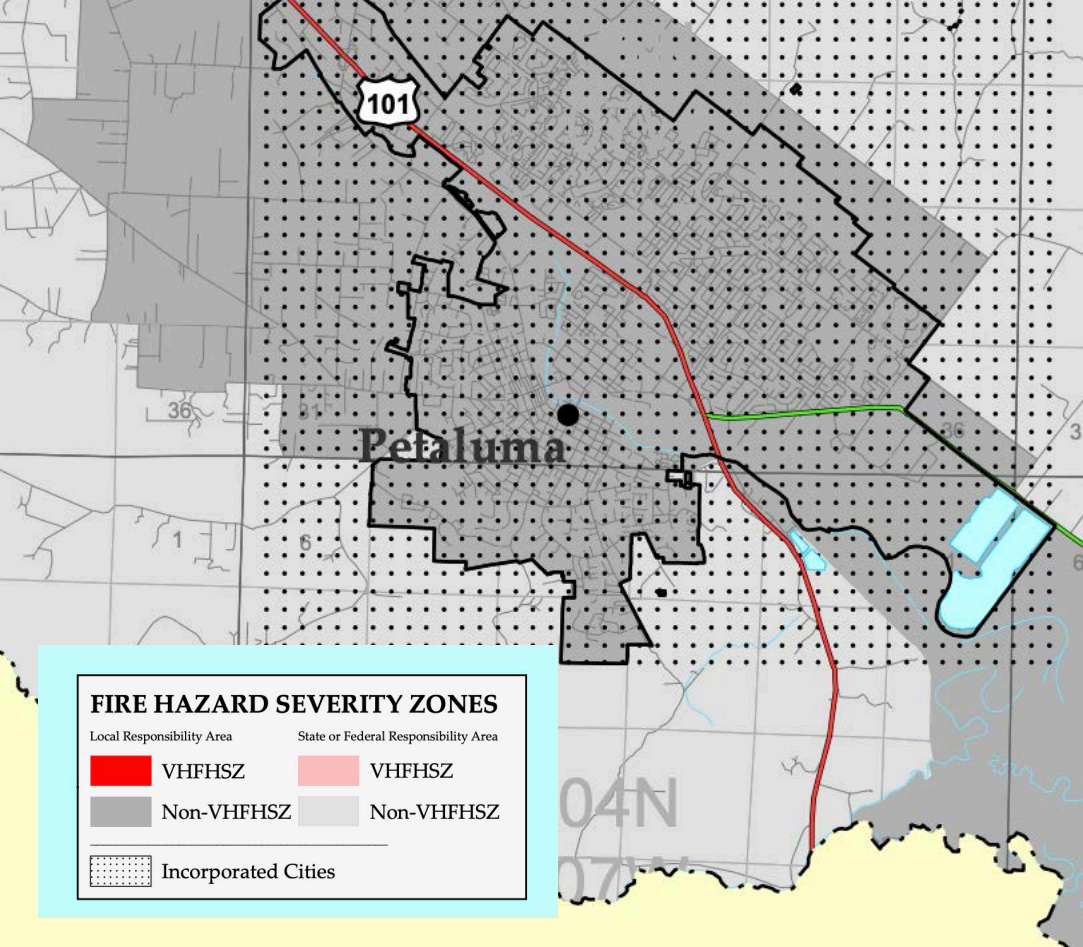


Facing southwest from the center of the Study Area.

Date & Time: Mon, Apr 10, 2023 at 12:05:22 PDT
Position: +038.225261° / -122.620046° (±32.8ft)
Altitude: 36ft (±62.3ft)
Datum: WGS-84
Azimuth/Bearing: 223° S43W 3964mils True (±12°)
Elevation Angle: +09.7°
Horizon Angle: -01.0°
Zoom: 4.0X



Facing southwest at an active red-shouldered hawk nest located 400-feet from the Study Area.




FIRE HAZARD SEVERITY ZONES

Local Responsibility Area


State or Federal Responsibility Area

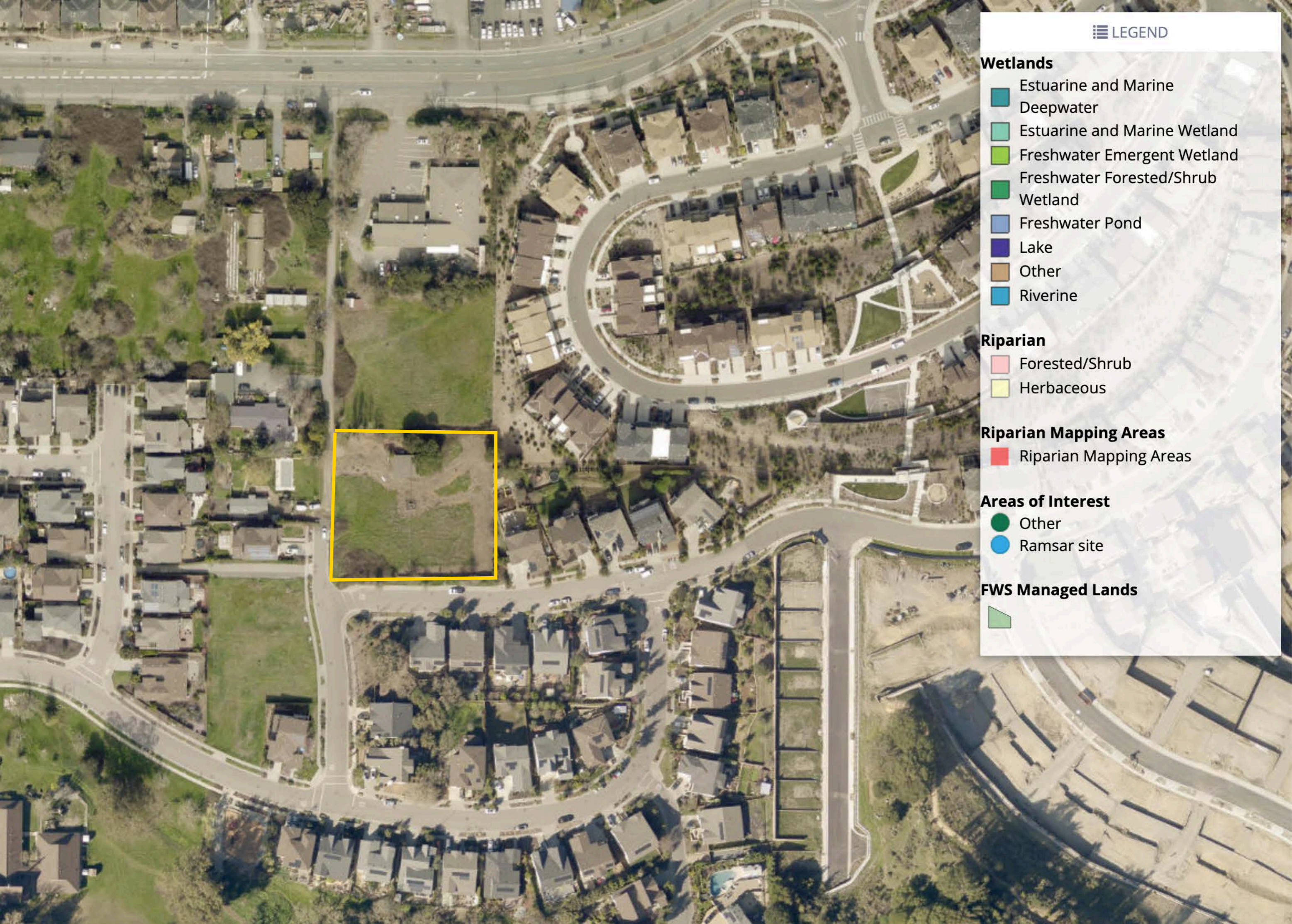
 VHFHSZ

 VHFHSZ

 Non-VHFHSZ

 Non-VHFHSZ

 Incorporated Cities



LEGEND

Wetlands

- Estuarine and Marine Deepwater
- Estuarine and Marine Wetland
- Freshwater Emergent Wetland
- Freshwater Forested/Shrub Wetland
- Freshwater Pond
- Lake
- Other
- Riverine

Riparian

- Forested/Shrub
- Herbaceous

Riparian Mapping Areas

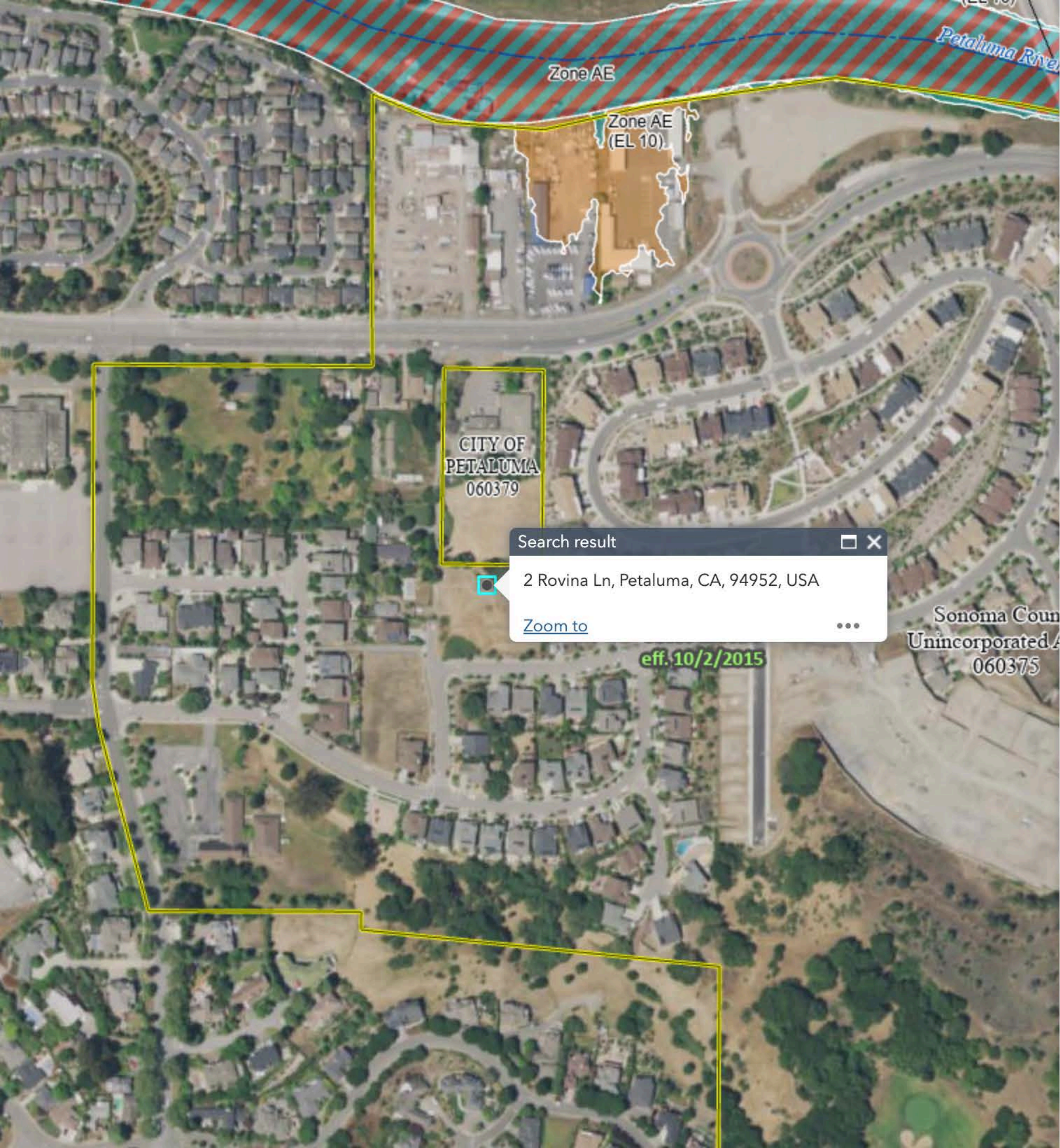
- Riparian Mapping Areas

Areas of Interest

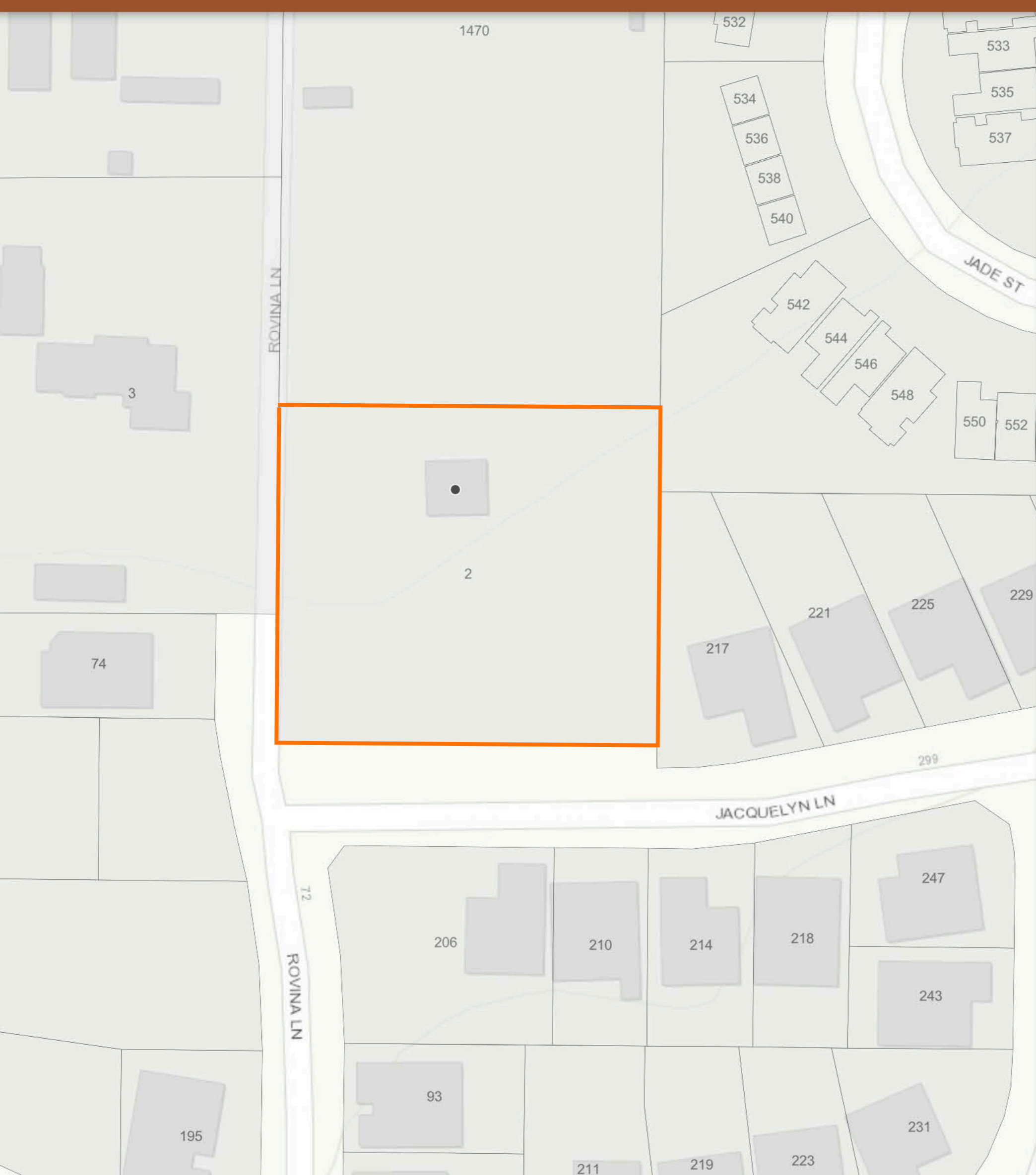
- Other
- Ramsar site

FWS Managed Lands

-



- Levees
 - ||
- Coastal Transects
 - -
- Transect Baselines
 -
- General Structures
 - - - Flood Structure
 - ✕ Bridge
 - Dam, Weir, Jetty
 - Other Structures
- River Mile Markers
 -
- Limit of Moderate Wave Action
 - ▲
- Flood Hazard Boundaries
 - Limit Lines
 - SFHA / Flood Zone Boundary
- Flood Hazard Zones
 - 1% Annual Chance Flood Hazard
 - Regulatory Floodway
 - Special Floodway
 - Area of Undetermined Flood Hazard
 - 0.2% Annual Chance Flood Hazard
 - Future Conditions 1% Annual Chance Flood Hazard
 - Area with Reduced Risk Due to Levee
 - Area with Risk Due to Levee
- Primary Frontal Dunes
 -
- Coastal Barrier Resources System Area (US FWS)
 - CBRS Prohibitions
 - Otherwise Protected Area
 - System Unit



Legend

Colors may vary due to transparency and overlapping data.

- Fault Traces**
 - Accurately Located
 - - - Approximately Located
 - ? - - - Approximately Located, Queried
 - - - - Inferred
 - - ? - Inferred, Queried
 - Concealed
 - ?..... Concealed, Queried
 - - - Aerial Photo Lineament
- Fault Zone**
 -
- Liquefaction Zone**
 -
- Landslide Zone**
 -
- Liquefaction Landslide Overlap Zone**
 -
- Area Not Evaluated for Liquefaction or Landslides**
 -
- Parcels**
 - Parcel is in an Earthquake Fault Zone, a Liquefaction Zone, and a Landslide Zone
 - Parcel is in an Earthquake Fault Zone and a Liquefaction Zone
 - Parcel is in an Earthquake Fault Zone and a Landslide Zone
 - Parcel is in an Earthquake Fault Zone
 - Parcel is in a Liquefaction Zone and Landslide Zone
 - Parcel is in a Liquefaction Zone
 - Parcel is in a Landslide Zone
 - Parcel is not in a zone or has not been evaluated



1425 N. McDowell Blvd.
Suite 200
Petaluma, CA 94954
707.795.0900 [phone](#)
707.795.0902 [fax](#)

www.esassoc.com

memorandum

date April 20, 2023

to Lauren Alexander, Pacific West Communities, Inc.

cc Heidi Koenig M.A., RPA, ESA Cultural Resources Group

from Matt Mattes M.A., RPA, ESA Cultural Resources Group

subject Archaeological Resources Findings Memorandum for the 2 Rovina Lane Project

Introduction

This memorandum provides the archaeological resources findings of a California Historical Resources Information System (CHRIS) records search, supplemental archival research, and an archaeological site assessment completed by ESA for the Pacific West Communities 2 Rovina Lane Project. ESA understands that Pacific West Communities (Pacific West) is conducting a due diligence assessment of archaeological resources factors that may influence further developmental actions taken at 2 Rovina Lane. Following discussion of the results of archival and field research, this report discusses the location's sensitivity for potential exposure or disturbance of archaeological resources and provides recommendations for Pacific West's planning. For the purposes of this analysis, a temporal distinction is made between *pre-contact* resources (i.e., those associated with indigenous groups and prior to recorded contact with non-indigenous immigrant populations) and *historic-era* resources (i.e., those associated with non-indigenous immigrant populations and at least 50 years in age). The term *indigenous*, rather than *prehistoric*, is used as a synonym for Native American-related (except when quoting). All figures referenced in this document are provided in **Appendix A**.

Study Area

The study area for this analysis comprises the entirety of a 1-acre lot measuring approximately 220 feet east-west by 195 feet north-south (Assessor Parcel Number [APN] 019-210-009), as well as a 0.25-mile buffer around the study area. The study area and 0.25-mile buffer are within Section 3 of Township 4 North, Range 7 West (Mount Diablo Base Meridian), as depicted in the U.S. Geological Survey (USGS) *Petaluma River* 7.5-minute topographic map (**Figures 1 and 2**). The study area is currently zoned for mixed residential use. Intact structural components of the study area include an abandoned building with modern installations, modern fencing along the northern boundary, and a modern retaining wall along the eastern and southern boundaries. The study area is situated on a grassy lawn with an estimated 2% grade over a northwesterly aspect from the retaining wall (**Photo 1**). 2 Rovina Lane is located approximately 0.25 mile south of the Petaluma River.

PHOTO 1: OVERVIEW OF STUDY AREA, VIEW WNW



Records Search

ESA conducted a records search at the Northwest Information Center (NWIC) of the California Historical Resources Information System on March 30, 2023 (File No. 22-1520). The purpose of the records search was to (1) determine whether known cultural resources have been recorded within or in the vicinity of the study area; (2) assess the likelihood for unrecorded cultural resources to be present based on historical references and the distribution of nearby sites; and (3) develop a context for the identification and preliminary evaluation of cultural resources. The records search consisted of an examination of the following documents:

- NWIC digitized base maps (USGS Petaluma River 7.5-minute topographic map), to identify recorded archaeological sites and studies within a 0.25-mile radius of 2 Rovina Lane.
- NWIC digitized base maps (USGS Petaluma River 7.5-minute topographic map), to identify recorded historic-era resources of the built environment (building, structures, and objects) within a 0.25-mile radius of 2 Rovina Lane.
- Resource Inventories: *Archaeological Resource Database*, *Non-Archaeological Resource Database*, *California Inventory of Historical Resources*, *California Historical Landmarks*, and *Built Environment Resource Directory* (BERD) (through September 2022) for Sonoma County.

The NWIC records search results identified one previous cultural resources study that encompasses a small portion of the southwest corner of the study area. Results of the NWIC records search also identified 10 cultural resources studies that have taken place within 0.25 mile of the study area. **Table 1** provides details on these studies.

TABLE 1. PREVIOUS CULTURAL RESOURCES STUDIES IN THE STUDY AREA

Study #	Title	Author	Date
S-000966	Archaeological Archival Research and Field Reconnaissance-McNear Property	Archaeological Consulting and Research Services	1974
S-001080	Proposed Installation of Small Earthfill Dam to Impound Drainage for Stock Watering Reservoir, Lake County, California	W. H. Olsen	1977
S-001134	An Archaeological Survey of the Country Club Estates Project in the South Petaluma Area, Sonoma County, California	Thomas M. Origer	1978
S-026724	A Cultural Resources Survey for the Riverview Project in South Petaluma, Sonoma County, California	Thomas Origer	2003
S-027681	A Cultural Resources Evaluation of the Dutra Quarry Located at 1600 Petaluma Boulevard South, Petaluma, Sonoma County	Cassandra Chattan	2003
S-033466	New Tower ("NT") Submission Packet, FCC Form 620, Carls Jr., SF-14137B	Scott Billat	2007
S-039520	Surface and Subsurface Archaeological Survey Report and Phase 1.5 Augering Program for the Marin/Sonoma Narrows Project Along Highway 101, Marin and Sonoma Counties, California, MRN-101 P.M. 18.6/27.7; SON-101 P.M. 0.0/7.7, CALTRANS/CSU Interagency Agreement No. 04-A1021, Task Order 01, EA-264000	Shelly Tiley, Dwight Simons, K.R. Bethard, et al.	2003
S-039520a	Historic Resource Evaluation Report For the Marin–Sonoma Narrows Project On U.S. Highway 101, From the vicinity of Novato, Marin County To the vicinity of Petaluma, Sonoma County; 04-Mrn-101, KP29.4/44.5 (PM 18.3/27.7); 04-Son-101, KP 0.0/12.1 (PM 0.0/7.5); EA 264000	Andrew Hope	2006
S-039520b	Supplemental Archaeological Survey Report, Marin/Sonoma Narrows Project, on U.S. Highway 101 in Marin and Sonoma Counties, California	Brett Rushing	2010
S-039520c	FHWA101220A, Amended Area of Potential Effect and Supplemental Archaeological Survey Report for the Transportation Improvements to US Highway 101 in Marin and Sonoma Counties, CA	Walter C. Waidelich and Milford Wayne Donaldson	2011
S-044091	Cultural Resources Analysis, Crown Castle Mountain View/CN0695, 1500 Country Club Drive, Petaluma, Sonoma County, California 94952, EBI Project No. 61103168	Aniela Travers	2010

SOURCE: NWIC, 2023

Previously Identified Resources

The NWIC records search indicates that no cultural resources have been previously recorded at 2 Rovina Lane. One historic-era archaeological resource is documented approximately 500 feet south of the property. This resource, P-49-001044: Petaluma Quarry (Chattan, 2003), is a multi-locus industrial site dating to the mid-late 19th century that included basalt and aggregate quarrying activities approximately 1,000 feet east and north of 2 Rovina Lane, between Highway 101 (east) and the Petaluma River (north). The mining operation stockpiled or discarded some mined sediments and industrial debris within 500 feet south of the study area. The archaeological deposits associated with P-49-001044 mapped within 500 feet of the study area have been removed since documentation prior to development of housing and a golf course with country club facilities.

Field Survey

ESA archaeologist Matt Mattes completed an archaeological resources pedestrian surface survey of 100 percent of the study area at 2 Rovina Lane on March 30, 2023. Survey coverage entailed walking 10-foot parallel transects and inspecting the ground surface for cultural materials, as well as photographing the study area landscape for archaeological assessment. All notes and photographs were prepared on-site during the field survey. The study area is situated on an exposed low angle slope that evidences mechanical grading and mowing (Photo 1). Grass cover was uniform across the study area, reducing ground visibility to 25 percent, though occasional exposures of soils at rodent and insect burrows, tire ruts, near the abandoned building, and along the modern fence line at the northern boundary and retaining wall at the eastern and southern boundaries, afforded view of brown silty clay loam with 35 percent concentration of angular basalt and aggregate gravels and broken cobbles. Barbed wire fencing is currently in a state of disrepair and of indeterminant age, though consists of three strands of Glidden-style double barbed wire affixed to studded steel T-posts, which is a common barbed wire fence style in late historic-era and modern times. Refuse distributed around the study area and the perimeter of the property consists of modern food containers, modern building and fencing materials, a large tractor engine, and signs of recent encampment.

Additional Archival Research

ESA reviewed historic-era aerial photographs and historic-era maps of the study area and vicinity. Available historic topographic maps for the years 1914 through 1980 depict the presence of a building as of 1955 (NETR, 2023), however, there are gaps in this data set, as maps encompassing the study area were not produced annually. The earliest available aerial imagery of the study area, from 1952, also depicts the presence of a building.

Archaeological Sensitivity Assessment

Geoarchaeology

The predominate soil type mapped in the study area consists of Yolo Series silt loam formed in alluvium of mixed rocks and is distributed vertically from ground surface to its parent bedrock material approximately 5.5 feet below ground surface (USDA, 2021). Geologically, Yolo Series parent material consists of maritime sedimentary and metasedimentary rocks (i.e., shale, chert, and quartzite) dating to the Jurassic through Cretaceous Periods (ca., 200 million to 64.5 million years before present [B.P.]) (Strand, 1967). Surficial geologic deposits within the study area consist of sporadic gravel to cobble-size extrusive volcanic rocks (i.e., basalt and rhyolite). Uplift of the Pacific seaboard due to tectonic processes during the Pliocene through Pleistocene Epochs (ca. 5.5 million to 11,500 years B.P.) positions Jurassic-Cretaceous bedrock up to several hundred feet above valley floors in this setting (Strand, 1967).

Landforms that predate the earliest estimated periods for human occupation of the region are considered to have very low potential for the presence of buried archaeological sites, while those that postdate human occupation are considered to have a higher potential for buried archaeological sites. The degree of buried site potential is inversely related to the estimated date range of a landform. Currently, archaeological research indicates that the earliest evidence for human occupation of California dates to the Late Pleistocene, ca. 11,500 years B.P. Therefore, the potential for buried archaeological deposits in landforms from or predating the Late Pleistocene is very low (Rosenthal et al., 2003).

The study area is situated on a Cretaceous through Jurassic Period landform that is as young as 70 million years B.P. (Strand 1967). Based on the age of the landform, the potential for buried pre-contact archaeological deposits is very low (Rosenthal et al., 2003). Archaeological deposits in this geologic context would be at or very near to the existing ground surface, and considerable disturbance of soils at such depth is apparent in the study area, attributable to historic and modern building and grading, as well as in the context of nearby the industrial and residential development. The study area is approximately 0.25 mile south of the Petaluma River, which does increase the area's sensitivity for pre-contact archaeological resources, however, the pedestrian survey did not identify any pre-contact deposits, and the CHRIS has no record of pre-contact resources that have been previously recorded within 0.25 mile of the study area.

Additional Sensitivity Considerations

Prior studies that covered the study area (see Table 1) have documented the presence of elements of the historic-era resource P-49-001044: Petaluma Quarry (Chattan, 2003) within 500 feet of the study area. However, this resource does not overlap with the study area and appears to have been removed prior to the development of nearby housing and recreational facilities (Chattan, 2003). Further, pedestrian survey of the study area and review of historic topographic maps and aerial imagery did not identify artifacts, structures, or landscape features that may be buried or otherwise obscured by current site conditions and pose sensitivity for unanticipated discovery of cultural resources (NETR, 2022). Nevertheless, the constrained ground visibility during the survey (25 percent) factors into sensitivity for the presence of such deposits. Based on, 1) the age of the landform, 2) negative findings of CHRIS research and, 3) negative findings during pedestrian survey and observation that mechanical grading and landscaping have impacted soils, this analysis concludes that the study area's sensitivity for pre-contact archaeological resources is very low, and sensitivity for unanticipated historic-era archaeological deposits is low.

Recommendations

Based on the results of the records search, background research, geoarchaeological assessment, and surface survey, there are no known archaeological resources present at 2 Rovina Lane. No additional work regarding archaeological resources is necessary for the proposed project. There is a very low potential to uncover significant buried archaeological resources during project activities. Despite the very low potential, the discovery of buried archaeological resources or human remains during project construction cannot be entirely discounted. In the event of accidental discovery, Sonoma County, as the CEQA lead reviewing agency, would be required to comply with existing regulations as described below.

In the unlikely event that subsurface resources are identified during ground disturbing activities, Sonoma County would comply with Public Resources Code Section 21083.2(i), which requires the lead agency to make provisions for archaeological resources accidentally discovered during construction. Sonoma County would be required to make an immediate evaluation by a qualified archaeologist, and if the find is determined to be a unique archaeological resource or a historical resource, then it must be avoided. If avoidance is not feasible, the resource must be recovered and treated accordingly. Construction would be allowed in other areas while the archaeological mitigation takes place.

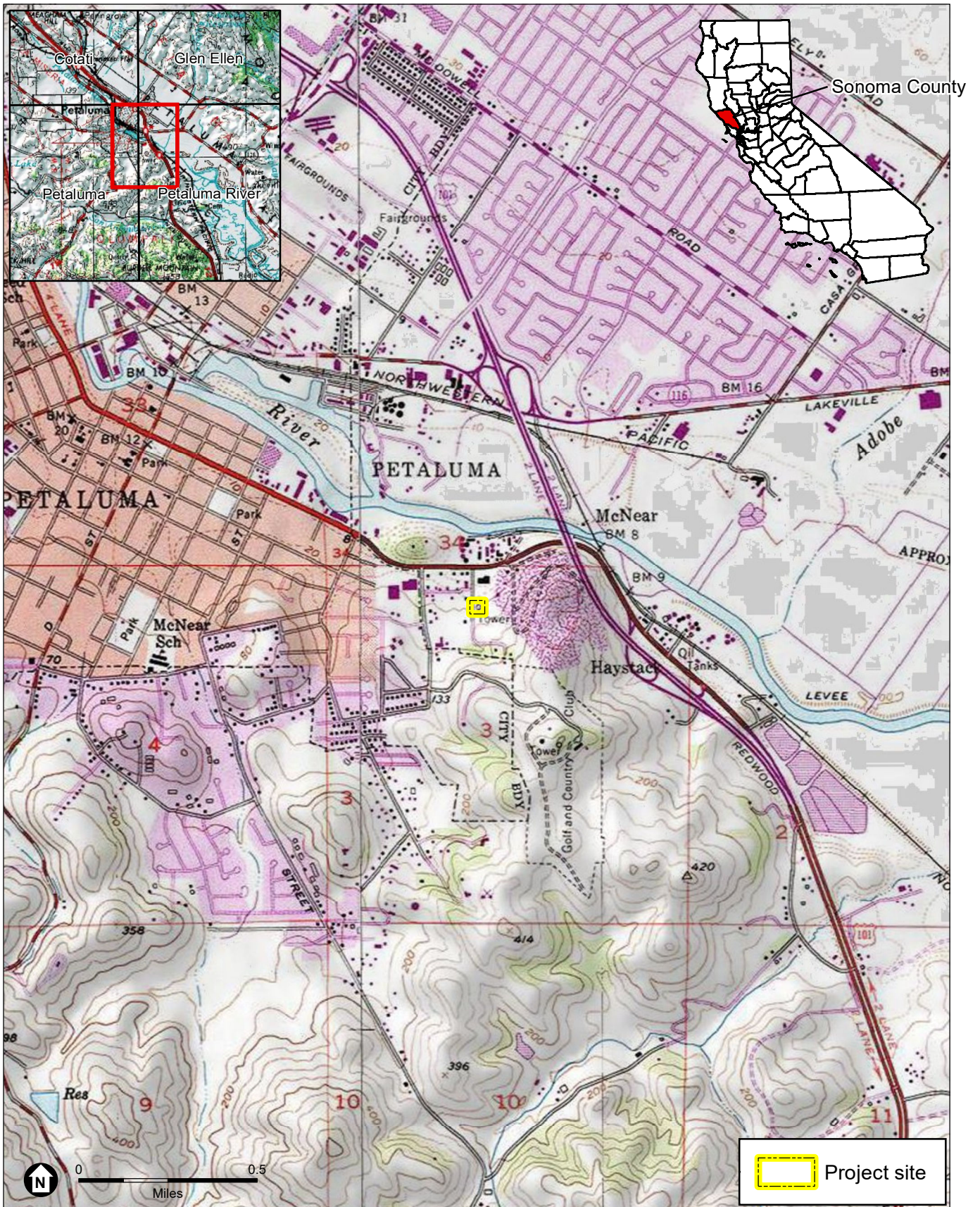
In the unlikely event that project activities identify undiscovered human remains, Sonoma County will comply with Government Code Section 27460 et seq., which requires ground disturbing activities to halt

until the County Coroner can determine whether the remains are subject to the provisions of Section 27491 of the Government Code or any other related provisions of law concerning investigation of the circumstances, manner, and cause of death; and the required recommendations concerning the treatment and disposition of the human remains have been made. Pursuant to California Health and Safety Code Section 7050.5, the coroner shall make a determination within 48 hours of notification of the discovery of the human remains. If the coroner determines that the remains are not subject to their authority and recognizes or has reason to believe that they are those of a Native American, the coroner shall contact the Native American Heritage Commission within 24 hours.

References

- Chattan, Cassandra, *A Cultural Resources Evaluation of the Dutra Quarry Located at 1600 Petaluma Boulevard South, Sonoma County, ARS-03-067*, 2003. On file, at ESA, March 31, 2023.
- Northwest Information Center (NWIC), File No. 22-1520. California Historical Resources Information System at Sonoma State University, Rohnert Park. On file at ESA, March 31, 2023.
- Nationwide Environmental Title Research (NETR) Historic Aerials and Topos: 2 Rovina Lane, Sonoma County, California. Available at [Historic Aerials: Viewer](#). Accessed April 3, 2023.
- Strand, R.G. *Geologic Map of California, Mariposa sheet*. Prepared by California Division of Mines and Geology, 1967.
- Rosenthal, Jeffrey, Jack Meyer, William Hildebrandt, and Jerome King, *A Geoarchaeological Study and Sensitivity Model of the Southern Santa Clara, Hollister, and San Juan Valleys, Santa Clara and San Benito Counties, California*. Prepared by Far Western Anthropological Research Group. Prepared for CalTrans. 2003.
- United States Department of Agriculture (USDA) Natural Resources Conservation Service, Web Soil Survey, available at <https://websoilsurvey.sc.egov.usda.gov/App/HomePage.htm>. Accessed April 3, 2023.

APPENDIX A
Figures



SOURCE: USGS

2 Rovina Lane Petaluma Cultural Review

Figure 1
Project Location





SOURCE: USGS

2 Rovina Lane Petaluma Cultural Review



Figure 2
Project Site